6786. Adulteration and misbranding of Smith's Grippe Tablets, Smith's Salol and Phenacetine Tablets, Smith's Ammosol Tablets, Smith's Cough Tablets, and Smith's Ammosol-Codeia Tablets. U. S. * * * v. Carroll Dunham Smith Pharmacal Co., a corporation. Plea of guilty. Fine, $25. (F. & D. No. 9252. I. S. Nos. 1155–p, 1157–p, 1158–p, 1159–p, 1162–p.)

On March 5, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Carroll Dunham Smith Pharmacal Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on November 14, 1917, from the State of New York into the State of New Jersey, of quantities of articles, labeled in part "Smith's Grippe Tablets," "Smith's Salol and Phenacetine Tablets," "Smith's Ammosol Tablets," "Smith's Cough Tablets," and "Smith's Ammosol-Codeia Tablets," which were adulterated and misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed the following results:

GRIPPE TABLETS.

Acetphenetidin (grain per tablet)..... 0.255
Deficiency (per cent)..... 74
Sodium salicylate: Present.
Tablets deficient in acetphenetidin.

SALOL AND PHENACETIN TABLETS.

Salol (grains per tablet)..... 2.018
Deficiency (per cent)..... 24
Phenacetin (grain per tablet)..... 0.85
Deficiency (per cent)..... 66
Acetanilid (grains per tablet)..... 1.04
Not declared on label.

AMMOSOL TABLETS.

Acetanilid (phenylacetamide) (grains per tablet)..... 1.95
Deficiency (per cent)..... 22
Ammonium salicylate (grain per tablet)..... 0.059

COUGH TABLETS.

Terpin hydrate (grains per tablet)..... 1.81
Deficiency (per cent)..... 28
Heroine (grain per tablet)..... 0.03
Deficiency (per cent)..... 27

AMMOSOL-CODEIA TABLETS.

Acetanilid (phenylacetamide) (grains per tablet)..... 1.48
Deficiency (per cent)..... 26
Codeine (grain per tablet)..... 0.158
Deficiency (per cent)..... 36
Ammonium salicylate (grain per tablet)..... 0.046

Adulteration of the article labeled "Grippe Tablets" was alleged in the information for the reason that its strength and purity fell below the professed standard and quality under which it was sold, in this, that it was a product which contained less than one grain of acetphenetidin, to wit, 0.255 grain acetphenetidin, and was sold as a product which contained one grain of acetphenetidin.

Misbranding of the article was alleged for the reason that the statement, to wit, "1 gr. Acetphenetidin," borne on the label attached to the bottle containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained one grain acetphenetidin, whereas, in truth and in fact, it did not, but contained a less amount, to wit, approximately 0.255 grain acetphenetidin, and for the further reason that the label did not indicate that acetphenetidin is a derivative of acetanilid.

Adulteration of the article labeled "Salol and Phenacetine Tablets" was alleged for the reason that its strength and purity fell below the professed standard and quality under which it was sold, in this, that it was a product which contained less than 2½ grains phenacetin per tablet, and less than 2½ grains of salol per tablet, to wit, approximately 0.85 grain of phenacetin per tablet, and approximately 2.018 grains salol per tablet, and was sold as a product which contained 2½ grains of phenacetin per tablet, and 2½ grains salol per tablet.

Misbranding of the article was alleged for the reason that the statement, to wit, "Phenacetin 2-1/2 gr. Salol 2-1/2 gr.," borne on the label attached to the bottle containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the tablets contained in said bottle each contained not less than 2½ grains phenacetin and 2½ grains salol, whereas, in truth and in fact, each of said tablets did not contain 2½ grains phenacetin, and did not contain 2½ grains salol, but contained a less amount, to wit, approximately 0.85 grain of phenacetin and 2.018 grains salol, and for the further reason that it contained acetanilid, and the label failed to bear a statement of the quantity or proportion of acetanilid contained therein, and for the further reason that the label did not indicate that acetphenetidin is a derivative of acetanilid.

Adulteration of the article labeled "Ammosol Tablets" was alleged for the reason that its strength and purity fell below the professed standard and quality under which it was sold, in that it was a product which contained less than 2½ grains of phenylacetamide per tablet, to wit, 1.95 grains of phenylacetamide per tablet, and was sold as a product which contained 2½ grains of phenylacetamide per tablet.

Misbranding of the article was alleged for the reason that the statement, to wit, "Phenylacetamide 2½ gr. * * *," borne on the label attached to the bottle containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in this, that it represented that the tablets contained in said bottle each contained not less than 2½ grains of phenylacetamide, whereas, in truth and in fact, each of said tablets did not contain 2½ grains of phenylacetamide, but contained a less amount, to wit, approximately 1.95 grains of phenylacetamide, and for the further reason that it contained acetanilid, and the label failed to bear a statement of the quantity or proportion of acetanilid contained therein.

Adulteration of the article labeled "Cough Tablets" was alleged for the reason that its strength and purity fell below the professed standard and quality under which it was sold in this, that it was a product which contained

less than $\frac{1}{24}$ grain of heroine per tablet, and less than 2½ grains of terpin hydrate per tablet, to wit, 0.03 grain of heroine per tablet and 1.81 grains of terpin hydrate per tablet, and was sold as a product which contained $\frac{1}{24}$ grain of heroine per tablet, and 2½ grains of terpin hydrate per tablet.

Misbranding of the article was alleged for the reason that the statement, to wit, "Heroin $\frac{1}{24}$ gr. Terpin Hydrate 2½ gr.," borne on the label attached to the bottle containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the tablets contained in said bottle each contained not less than $\frac{1}{24}$ grain of heroine and not less than 2½ grains of terpin hydrate, whereas, in truth and in fact, each of said tablets did not contain $\frac{1}{24}$ grain of heroine, and did not contain 2½ grains of terpin hydrate, but contained a less amount, to wit, approximately 0.03 grain of heroine and approximately 1.81 grains of terpin hydrate, and for the further reason that it contained heroine, and the label failed to bear a statement of the quantity or proportion of heroine contained therein.

Adulteration of the article labeled "Ammosol-Codeia Tablets" was alleged for the reason that its strength and purity fell below the professed standard and quality under which it was sold, in this, that it was a product which contained less than 2 grains of phenylacetamide per tablet, and less than 0.25 grain of codeia per tablet, to wit, 1.48 grains of phenylacetamide per tablet, and 0.158 grain of codeia per tablet, and was sold as a product which contained 2 grains of phenylacetamide per tablet, and 0.25 grain of codeia per tablet.

Misbranding of the article was alleged for the reason that the statement, to wit, "Codeia ¼ gr. * * * Phenylacetamide 2 grains," borne on the label attached to the bottle containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in this, that it represented that the tablets contained in said bottles each contained not less than ¼ grain of codeia and 2 grains of phenylacetamide, whereas, in truth and in fact, each of said tablets did not contain ¼ grain of codeia and 2 grains of phenylacetamide, but did contain a less amount, to wit, approximately 0.158 grain of codeia, and 1.48 grains of phenylacetamide; and for the further reason that it contained acetanilid, and the label failed to bear a statement of the quantity or proportion of acetanilid contained therein; and for the further reason that the label did not indicate that codeia is a derivative of morphine.

On March 12, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of $25.

J. R. RIGGS, *Acting Secretary of Agriculture.*

6787. Adulteration of shell eggs. U. S. * * * v. 100 Cases of Shell Eggs. Good portion ordered sold. (F. & D. No. 9258. I. S. No. 13553-r. S. No. E-1087.)

On August 7, 1918, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 100 cases of shell eggs at Binghamton, N. Y., alleging that the article had been shipped on June 24, 1918, by Turner, Clegg & O'Neill Co., Chicago, Ill., and transported from the State of Illinois into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it was in an excessive amount decomposed, filthy, and putrid animal substance, and was in whole or in part unfit for human consumption.

On August 16, 1918, the case having come on to be heard, it was ordered by the court that the eggs should be examined and that the good portion of the eggs should be sold.

J. R. RIGGS, *Acting Secretary of Agriculture.*